

SENATE BILL REPORT

SHB 2482

As Reported By Senate Committee On:
Government Operations & Elections, February 22, 2008

Title: An act relating to the signature validation process for petitions that seek annexation.

Brief Description: Addressing the signature validation process for petitions that seek annexation.

Sponsors: House Committee on Local Government (originally sponsored by Representative Moeller).

Brief History: Passed House: 2/13/08, 96-0.

Committee Activity: Government Operations & Elections: 2/21/08, 2/22/08 [DPA, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass as amended.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; McDermott and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Sharon Swanson (786-7447)

Background: Cities are organized under statute as either first or second class cities and towns (classified cities) or code cities. Classified cities are organized under Title 35. Code cities are organized under Title 35A. Classified and code cities have multiple processes to annex territory, including a resolution/election method, a petition/election method, a direct petition method, a resolution method, and an ordinance method. Each method of annexation must follow different processes as set forth in statute.

Under the direct petition method of annexation, the petition for annexation must be signed by owners of a certain percentage of land included in the annexation. In classified cities, the petition must be signed by the owners of not less than 75 percent of the assessed value of the property subject to the annexation. In code cities, the petition must be signed by the owners of at least 60 percent of the assessed value of the property subject to annexation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In a code city direct petition annexation where the area to be annexed has at least 80 percent of its boundaries contiguous with a portion of the city's boundaries, the petition can be signed by the owners of 50 percent of the assessed value of the property subject to the annexation.

An officer of a corporation signing a petition on behalf of the corporation must be duly authorized to execute deeds or encumbrances on behalf of the corporation and must attach a certified excerpt from the corporation bylaws showing such authority to the petition.

Summary of Bill (Recommended Amendments): The petition requirements for cities are modified. When a petition seeks annexation, any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign under oath on behalf of the corporation. If an officer signs the petition, the officer must attach an affidavit stating that he or she is duly authorized to sign the petition on behalf of such corporation.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Amendments): A requirement is added that an officer of a corporation who signs a petition on the corporation's behalf attach an affidavit stating the officer's authority to do so.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute Bill: PRO: It is difficult to comply with the current statute. Annexations sometimes occur over decades, and corporations can go in and out of business in the time period. As a result, it is cumbersome to have the appropriate officers with a copy of the attached bylaws sign the petition. This bill is trying to make the process simpler.

Persons Testifying: PRO: Representative Moeller, prime sponsor.